

IN THE CLAIMS

Please amend the claims as follows:

1-36. (Canceled)

37. (Currently Amended) An apparatus for determining a refund comprising:  
accessing means for accessing content data provided by a content creator, some of the content data including advertising data;  
transmission means for transmitting, via a network, selected content data to one or more user locations, in response to a request from the one or more user locations for the selected content data;  
calculating means for calculating a refund quantity to be earned by the content creator as a function of a number of transmissions of the selected content data and whether the selected content included advertising data; [[and]]  
storing means for storing and accumulating the refund quantity for the content creator in a content creator information database; and  
determination means for determining which of a plurality of levels of an entitled refund the refund quantity accumulated for the content creator translates to, wherein said the plurality of levels of an entitled refund includes including a fee credit and merchandise.

38. (Previously Presented) The apparatus according to claim 37, wherein the request from the one or more user locations includes an indication to include advertising data with the content data.

39. (Previously Presented) The apparatus according to claim 37, wherein the request from the one or more user locations includes an indication to exclude advertising data from the content data.

40. (Previously Presented) The apparatus according to claim 37, wherein the calculating means calculates the refund quantity as a function of connection fee data.

41. (Previously Presented) The apparatus according to claim 37, wherein the calculating means calculates the refund quantity as a function of use fee data.

42. (Previously Presented) The apparatus according to claim 37, wherein the calculating means calculates a credit quantity as a function of the refund quantity.

43. (Previously Presented) The apparatus according to claim 42, wherein the credit quantity is applied to one or more purchases over the network.

44. (Canceled)

45. (Previously Presented) The apparatus according to claim 37, further comprising: generating means for generating content data that is accessed by the accessing means, wherein the generating means positions the advertising data at one or more particular region of the content data.

46. (Previously Presented) The apparatus according to claim 45, wherein the region is a head portion.

47. (Previously Presented) The apparatus according to claim 37, wherein the calculating means calculates a contribution quantity as a function of a contribution indication.

48. (Currently Amended) A method for determining a refund comprising ~~the steps~~ of:

accessing content data provided by a content creator, some of the content data including advertising data;

transmitting, via a network, selected content data to one or more user locations, in response to a request from the one or more user locations for the selected content data;

calculating a refund quantity to be earned by the content creator as a function of a number of transmissions of the selected content data and whether the selected content included advertising data; [[and]]

storing and accumulating the refund quantity for the content creator in a content creator information database; and

determining which of a plurality of levels of an entitled refund the refund quantity accumulated for the content creator translates to, wherein said the plurality of levels of an entitled refund includes including a fee credit and merchandise.

49. (Previously Presented) The method according to claim 48, wherein the request from the one or more user locations includes indicating inclusion of advertising data with the content data.

50. (Previously Presented) The method according to claim 48, wherein the request from the one or more user locations includes indicating exclusion of advertising data from the content data.

51. (Previously Presented) The method according to claim 48, wherein the calculating step calculates the refund quantity as a function of connection fee data.

52. (Previously Presented) The method according to claim 48, wherein the calculating step calculates the refund quantity as a function of use fee data.

53. (Previously Presented) The method according to claim 48, wherein the calculating step calculates a credit quantity as a function of the refund quantity.

54. (Previously Presented) The method according to claim 53, further comprising applying the credit quantity to one or more purchases over the network.

55. (Canceled)

56. (Currently Amended) The method according to claim 48, further comprising the steps of:

generating the content data that is accessed; and  
positioning the advertising data at one or more particular regions of the content data.

57. (Previously Presented) The method according to claim 56, wherein the region is a head portion.

58. (Currently Amended) The method according to claim 48, further comprising the step of calculating a contribution quantity as a function of a contribution indication.

59. (Currently Amended) A computer program product having a program, for determining a refund, stored on a computer-readable medium comprising:

program code for accessing configured to access content data provided by a content creator, some of the content data including advertising data;

program code for transmitting configured to transmit, via a network, selected content data to one or more user locations, in response to a request from the one or more user locations for the selected content data;

program code for calculating configured to calculate a refund quantity to be earned by the content creator as a function of a number of transmissions of the selected content data and whether the selected content included advertising data; [[and]]

program code configured to store and accumulate the refund quantity for the content creator in a content creator information database; and

program code for determining configured to determine which of a plurality of levels of an entitled refund the refund quantity accumulated for the content creator translates to, wherein said the plurality of levels of an entitled refund includes including a fee credit and merchandise.

60. (Currently Amended) The computer program product according to claim 59, wherein the request from the one or more user locations includes an indication to include advertising data with the content data.

61. (Currently Amended) The computer program product according to claim 59, wherein the request from the one or more user locations includes an indication to exclude advertising data from the content data.

62. (Currently Amended) The computer program product according to claim 59, wherein the program code ~~for calculating~~ configured to calculate calculates the refund quantity as a function of connection fee data.

63. (Currently Amended) The computer program product according to claim 59, wherein the program code ~~for calculating~~ configured to calculate calculates the refund quantity as a function of use fee data.

64. (Currently Amended) The computer program product according to claim 59, wherein the program code configured to calculate for calculating calculates a credit quantity as a function of the refund quantity.

65. (Currently Amended) The computer program product according to claim 64, further comprising program code ~~for applying~~ configured to apply the credit quantity to one or more purchases over the network.

66. (Canceled)

67. (Currently Amended) The computer program product according to claim 59, further comprising:

program code ~~for generating~~ configured to generate content data that is accessed,

program code ~~for positioning~~ configured to position the advertising data at one or more particular regions of the content data.

68. (Currently Amended) The computer program product according to claim 67, wherein the particular region is a head portion.

69. (Currently Amended) The computer program product according to claim 59, further comprising program code ~~for calculating~~ configured to calculate a contribution quantity as a function of a contribution indication.

70-96. (Canceled)

97. (New) An apparatus for determining a refund comprising:  
an accessing unit configured to access content data provided by a content creator, some of the content data including advertising data;

a transmission unit configured to transmit, via a network, selected content data to one or more user locations, in response to a request from the one or more user locations for the selected content data;

a calculating unit configured to calculate a refund quantity to be earned by the content creator as a function of a number of transmissions of the selected content data and whether the selected content included advertising data;

a storing unit configured to store and accumulate the refund quantity for the content creator in a content creator information database; and

a determining unit configured to determine which of a plurality of levels of an entitled refund the refund quantity accumulated for the content creator translates to, the plurality of levels of an entitled refund including a fee credit and merchandise.